

## ZILKA-KOTAB

PC  
ZILKA, KOTAB & FEECE™95 SOUTH MARKET ST., SUITE 420  
SAN JOSE, CA 95113TELEPHONE (408) 971-2573  
FAX (408) 971-4660RECEIVED  
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## FAX COVER SHEET

Date: December 1, 2004	Phone Number	Fax Number
To: Examiner Ailes		(703) 872-9306
From: Kevin J. Zilka		

Docket No.: NA11P008/01.113.01

App. No: 09/895,536

Total Number of Pages Being Transmitted, Including Cover Sheet: 17

## Message:

Please deliver to Examiner Ailes.

Thank you,

Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

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ANY OTHER DIFFICULTY, PLEASE PHONE Erica  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

December 1, 2004

DEC 01 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: )  
)  
Magdych et al. ) Group Art Unit: 2142  
)  
Application No. 09/895,536 ) Examiner: Ailes, Benjamin A.  
)  
Filed: 06/29/01 ) December 1, 2004  
)  
For: )  
SYSTEM, METHOD AND COMPUTER )  
PROGRAM PRODUCT FOR IMPROVED )  
EFFICIENCY IN NETWORK ASSESSMENT )  
UTILIZING VARIABLE TIMEOUT VALUES )

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: (703) 472-9306, on the above date.

Signed:

Erica L. Farlow

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
TOTAL CLAIMS	32 -	30	02	X09 = \$	OR	X18 = \$36
INDEP CLAIMS	05 -	05	00	X44 = \$	OR	X88 = \$0
[ ] Multiple Dependent Claim Present and Fee Not Previously Paid				\$130		\$0
TOTAL				\$		\$36.00

- ☒ Applicant(s) believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1351.
- ☐ Enclosed is our Check No. in the amount of \$ to cover the additional claim fee and/or extension of time fees.
- ☒ If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NA1IP008). A copy of this sheet is enclosed for billing purposes.

Respectfully submitted,  
Zilka-Kotab PC

Kevin J. Zilka  
Registration No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
Telephone: (408) 971-2573

(Revised 1/96)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of:

Magdych et al.

Application No. 09/895,536

Filed: 06/29/01

For:

SYSTEM, METHOD AND COMPUTER  
PROGRAM PRODUCT FOR IMPROVED  
EFFICIENCY IN NETWORK ASSESSMENT  
UTILIZING VARIABLE TIMEOUT VALUES

Group Art Unit: 2142

Examiner: Ailes, Benjamin A.

December 1, 2004

COPY

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Signed:

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Zilka-Kotab PC

Kevin J. Zilka  
Registration No. 41,429

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San Jose, CA 95172-1120  
Telephone: (408) 971-2573

(Revised 1/96)

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Signed: 

Erica L. Farlow

AMENDMENT A

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to an Office Action mailed on 11/18/04, please enter the following in the above application: